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NEW SCHOOL LEGISLATION

ENACTED BY THE

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1924



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NEW SCHOOL LEGISLATION

ENACTED BY THE GENERAL ASSEMBLY
IN EXTRAORDINARY SESSION, 1924

AN ACT TO AMEND CERTAIN SECTIONS OF CHAPTER ONE HUNDRED AND THIRTY-SIX, PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, AND SECTION THREE THOUSAND NINE HUNDRED AND TEN OF THE CONSOLIDATED STATUTES (H. B. 179, S. B. 353).

The General Assembly of North Carolina do enact:

SECTION 1. That section sixty-one of chapter one hundred and thirty-six, Public Laws of one thousand nine hundred and twenty-three, be amended by inserting in line two thereof after the word "education" and before the word "may" the words, "or board of trustees of any special charter district"; and that said section be further amended by substituting the words "any such board" in lieu of the word "the" in line four between the words "whenever" and "board," and that said section be further amended by inserting between line seventeen and line eighteen the words "or, if a charter district, upon the treasurer of such charter district."

SEC. 2. That section seventy-three (a) of said chapter one hundred and thirty-six be and is hereby amended by adding at the end of sub-section two of said section seventy-three (a) the words: "The meeting required to be held before the adoption of the county-wide plan shall be called, and the notification required to be given of a contemplated modification or change of an adopted plan shall be given, by publication once, at least ten days before the meeting or the hearing, in a newspaper published at the county seat, of a notice addressed to those affected thereby, giving the hour and day and place of the meeting or the hearing and the purpose thereof, and by the mailing to or serving of like notices upon all committeemen and trustees.

If no newspaper be published in the county seat, such notice shall be posted at the courthouse door and at a public place in each township in the county ten days prior to such meeting.

No adoption or amendment of such plan shall be held invalid or ineffectual because of any failure to comply with the requirement hereof as to the mailing or service of notice.

SEC. 3. That section two hundred and fifty-seven of said chapter one hundred and thirty-six be and is hereby amended by adding at the end of said section the words: "The notice of election shall set forth the boundaries of the district, unless the district is coterminous with a county, city, town, or township, or is coterminous with a county or township except that it does not include a city, town, or township, in such county or township, and the notice shall set forth either the amount or the maximum amount of bonds proposed to be issued."

SEC. 4. That section two hundred and sixty-three of said chapter one hundred and thirty-six be and is hereby amended by changing the period at the end of subsection (a) thereof to a comma, and by adding the words, "and said bonds shall be sold by the principal governing body of such city or town, and signed and sealed as may be directed by the principal governing body, and the proceeds derived from the sale of such bonds shall be turned over to the custodian of funds of such special charter district, who shall receive no commission for the handling of such proceeds.

SEC. 5. That said section two hundred and sixty-three of said chapter one hundred and thirty-six be and is hereby further amended by striking out all of subsection (b) of said section two hundred and sixty-three, and by inserting in lieu thereof the following:

"SUBSECTION (b). In the case of all special charter districts not described in subsection (a) of this section the petition for the election shall be made by the Board of Trustees to the Board of County Commissioners, which Board shall call, hold, and determine the result of the election as provided in this article, and the bonds shall be sold and issued by the Board of Trustees in the name of the district and shall be signed and sealed as may be provided by said Board of Trustees, and the proceeds derived from the sale of such bonds shall be turned over to the custodian of funds of such special charter district, who shall receive no commission for the handling of such proceeds: *Provided, however,* that in districts of the kind described in this subsection, in which special school taxes are now levied by the principal governing body of a city or town situated within the district, the powers and duties conferred by this article on Boards of County Commissioners shall be exercised and performed by said principal governing body: *Provided further,* that in districts of the kind described in the subsection which lie in two or more counties, no petition shall be necessary, and the Board of Trustees of the district shall call, hold and determine the result of the election.

SEC. 6. That section three thousand nine hundred and ten of the Consolidated Statutes be amended by inserting in line thirteen, after the word "fund" and before the word "for," the words, "the special building fund, nor from funds derived from county or district bond issues."

SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 8. This act shall be in full force and effect from and after its ratification.

Ratified this the 23d day of August, 1924.

CONDEMNATION OF SCHOOL SITES (Section 61 as amended*)

SEC. 61. **How to secure suitable sites.** The county board of education or board of trustees of any special charter district may receive by gift or by purchase suitable sites for schoolhouses or other school buildings. But whenever any such board is unable to obtain a suitable site for a school or school building by gift or purchase, the board shall report to the county superintendent of public instruction, who shall, upon five days notice to the owner or

*Amendments are printed in italics.

owners of the land, apply to the Clerk of the Superior Court of the county in which the land is situated for the appointment of three appraisers, who shall lay off by metes and bounds not more than ten acres, and shall assess the value thereof. They shall make a written report of their proceedings, to be signed by them, or by a majority of them, to the clerk within five days of their appointment, who shall enter the same upon the records of the court. The appraisers and officers shall serve without compensation. If the report is confirmed by the clerk, the chairman and the secretary of the board shall issue an order on the treasurer of the county school fund, *or, if a charter district, upon the treasurer of such charter district*, in favor of the owner of the land thus laid off, and upon the payment, or offer of payment, of this order, the title to such land shall vest in fee simple in the corporation. Any person aggrieved by the action of the appraisers may appeal to the Superior Court in term, upon giving bond to secure the board against such costs as may be incurred on account of the appeal not being prosecuted with effect. If the lands sought to be condemned hereunder, or any part of said lands, shall be owned by a nonresident of the State, before the clerk shall appoint appraisers therefor, notice to such nonresident owners shall be given of such proceedings to condemn, by publication for thirty days in some newspaper published in the county, and if no newspaper is published in the county, then by posting such notice at the courthouse door and three other public places in the county for the period of thirty days.

C. S., 5416; 1923, c. 136, s. 61; Extra Session 1924, H. B. 179, S. B. 353, s. 1.

THE COUNTY-WIDE PLAN (Section 73-a as amended)

SEC. 73-a. **County-wide plan of organization.** The county board of education shall create no new district nor shall it divide or abolish a district, nor shall it consolidate districts or parts of districts, except in accordance with a county-wide plan of organization as follows:

1. The county board of education shall present a diagram or map of the county showing the present location of each district, the position of each, the location of roads, streams and other natural barriers, the number of children in each district, the size and condition of each school building in each district. The county board of education shall then prepare a county-wide plan for the organization of all the schools of the county. This plan shall indicate the proposed changes to be made and how districts or parts of districts are proposed to be consolidated so as to work out a more advantageous school system for the entire county.

2. Before adopting the county-wide plan, the county board of education shall call a meeting of all the school committeemen and the boards of trustees and lay the proposed plan before them for their advice and suggestions. After receiving the advice of the committeemen and trustees, the county board of education shall have authority to adopt a county-wide plan of organization, and no districts or parts of any district, including non-local tax, local tax, and special charter districts hereafter referred to in this article, shall be consolidated or the boundary lines changed, unless the consolidation or the change of boundary lines is in accordance with the adopted county-wide plan of organization: *Provided*, that in the event the county board of education deems

it wise to modify or change the adopted plan, the board shall notify the committeemen and interested patrons and give them a hearing if they desire to be heard before any changes shall be made.

The meeting required to be held before the adoption of the county-wide plan shall be called, and the notification required to be given of a contemplated modification or change of an adopted plan shall be given, by publication once, at least ten days before the meeting or the hearing, in a newspaper published at the county seat, of a notice addressed to those affected thereby, giving the hour and day and place of the meeting or the hearing and the purpose thereof, and by the mailing to or serving of like notices upon all committeemen and trustees.

If no newspaper be published in the county seat, such notice shall be posted at the courthouse door and at a public place in each township in the county ten days prior to such meeting.

No adoption or amendment of such plan shall be held invalid or ineffectual because of any failure to comply with the requirement hereof as to the mailing or service of notice.

3. The county board of education shall have authority to execute the entire plan or any part of the same, but the county board of education shall have no authority to create a debt for the execution of any part of the proposed plan, unless authorized by law, and if the amount necessary to put into operation all or any part of said plan shall be greater than the amount that may be reasonably expected from the Operating and Equipment Fund for this purpose, the amount shall be guaranteed by the districts affected by the execution of the plan, or if the districts do not guarantee the funds the county board of education shall lay the proposed plan before the county commissioners, together with the estimated amount necessary to put the same into operation, and if the amount necessary to carry out all or any part of the proposed plan shall be approved by the county commissioners, the county board of education shall then have the authority to organize the districts in accordance with the county-wide plan.

4. When the proposed county-wide plan is adopted the county board shall notify the committeemen and boards of trustees as to what part of the plan the board proposes to carry out first and in what order the other parts of the plan will be considered, and the preference shall be given to those districts in which the needs are greatest if the funds for providing the equipment are made available.

5. In the event that any child or children of any district or any part of a district are without adequate school advantages and these advantages may be improved by transferring said child or children to a school or schools in adjoining districts, the county board shall have authority to make such a transfer. But this shall not empower the county board of education to abolish or divide a district unless such act shall be in harmony with the county-wide plan of organization. The temporary transfer of such child or children may be made until such time as the county-wide plan will provide more advantageously for them.

BOND ELECTIONS (Section 257 as amended)

SEC. 257. **Elections; how called.** Whenever the county board of education shall so petition, the board of county commissioners of any county shall order a special election to be held in any county or special school-taxing district, or in any local-tax district within which a union school is maintained, for the purpose of voting upon the question of issuing bonds and levying a sufficient tax for the payment thereof for the purpose of acquiring, erecting, enlarging, altering and equipping school buildings and purchasing sites in such county or district, or for any one or more of said purposes. Said election shall be called and held under the same rules and regulations as provided in this act for "Local Tax Elections for Schools" (Article 17.) The ballots to be used in said election shall have written or printed thereon the words "For the issuance of \$..... school bonds and the levying of a tax for the payment thereof," and "Against issuance of \$..... school bonds and the levying of a tax for the payment thereof." *The notice of election shall set forth the boundaries of the district, unless the district is coterminous with a county, city, town, or township, or is coterminous with a county or township except that it does not include a city, town, or township, in such county or township, and the notice shall set forth either the amount or the maximum amount of bonds proposed to be issued.*

1923, c. 136, s. 257; Extra Session 1924, H. B. 179, S. B. 353, s. 3.

BOND ELECTIONS IN CITIES (Section 263 as amended)

SEC. 263. **Bonds in special charter districts.** Elections may be held in special charter districts and bonds issued and taxes levied to pay the same in the manner provided by the previous sections of this article, except as otherwise provided in this section.

SUBSECTION (a). In the case of every special charter district coterminous with an incorporated city or town having authority by virtue of its charter, or other special or local laws, to maintain a system of schools, the petition for the election shall be made to the principal governing body of each city or town by the board of trustees, unless said board is the principal governing body of said city or town, in which case no petition shall be necessary. But said principal governing body may, in its discretion, grant or refuse said petition. In every special charter district of the kind described in this subsection, all powers and duties conferred or imposed by this article on boards of county commissioners shall be exercised and performed by the principal governing body of said city or town with which the district is coterminous, and the bonds shall be issued in the corporate name of each city or town, *and said bonds shall be sold by the principal governing body of such city or town, and signed and sealed as may be directed by the principal governing body, and the proceeds derived from the sale of such bonds shall be turned over to the custodian of funds of such special charter district, who shall receive no commission for the handling of such proceeds.*

SUBSECTION (b). *In the case of all special charter districts not described in subsection (a) of this section the petition for the election shall be made by the board of trustees to the board of county commissioners, which board shall call, hold and determine the result of the election as provided in this*

article, and the bonds shall be sold and issued by the board of trustees in the name of the district and shall be signed and sealed as may be provided by said board of trustees, and the proceeds derived from the sale of such bonds shall be turned over to the custodian of funds of such special charter district, who shall receive no commission for the handling of such proceeds: *Provided, however, that in districts of the kind described in this subsection, in which special school taxes are now levied by the principal governing body of a city or town situated within the district, the powers and duties conferred by this article on boards of county commissioners shall be exercised and performed by said principal governing body: Provided further, that in districts of the kind described in the subsection which lie in two or more counties, no petition shall be necessary, and the board of trustees of the district shall call, hold and determine the result of the election.*

1923, c. 136, s. 263; Extra Session 1924; H. B. 179, S. B. 353, ss. 4, 5.

TREASURER'S COMMISSION (Section 3910, C. S. as amended)

3910. County treasurer. The county treasurer shall receive as compensation in full for all services required of him such a sum not exceeding one-half of one percent on moneys received and not exceeding two and a half percent on moneys disbursed by him, as the board of commissioners of the county may allow. As treasurer of the county school fund he shall receive such sum as the board of education may allow him, not exceeding two percent on disbursements; and the said commissions shall be paid only upon the order of the county board of education, signed by the chairman and secretary, and the county board of education is hereby forbidden to sign any such order until the treasurer shall have made all reports and kept all such accounts required by law in the form and manner prescribed: *Provided, that said treasurer shall be allowed no commission or compensation for receipts and disbursements of any loan or loans made to the county by the state board of education out of the state literary fund, the special building fund, nor from funds derived from county or district bond issues, for the building of school houses: Provided, that in counties where the treasurer's total compensation cannot exceed two hundred and fifty dollars per annum the treasurer may be allowed, in the discretion of the board of county commissioners and the board of education, as to the school fund, a sum not exceeding two and one-half percent on his disbursements of all funds handled by him; but the compensation allowed by virtue of the provisions of this last proviso shall not be operative to give a total compensation in excess of two hundred and fifty dollars per annum to such treasurers.*

C. S. 3910; Rev., s. 2778; Code, s. 770; 1899, c. 233; 1909, c. 577; 1913, c. 144; 1919, c. 254, s. 9; Extra Session 1924, H. B. 179, S. B. 353, s. 6.

**AN ACT TO AMEND CHAPTER ONE HUNDRED AND THIRTY-SIX,
ARTICLE TWENTY-THREE, PUBLIC LAWS OF NINETEEN HUN-
DRED AND TWENTY-THREE (H. B. 524, S. B. 321).**

The General Assembly of North Carolina do enact:

SECTION 1. That after section two hundred and seventy, article twenty-three, chapter one hundred and thirty-six, Public Laws nineteen hundred and twenty-three, be added section two hundred and seventy-one, as follows:

That whenever the county board of education of any county shall petition the county commissioners of said county that it is necessary in order to provide a building or buildings to carry on a six months school in their county, and the location and plans for such building or buildings as proposed has been approved by the State Superintendent of Public Instruction, the county commissioners may, in their discretion, without submitting the issue to a vote of the people, borrow such sum of money as may in their judgment be necessary to erect or repair such building or buildings, and the commissioners are empowered and authorized to issue serial notes of the county or serial bonds of the county, as provided for in section two hundred and sixty-six and section two hundred and sixty-seven, article twenty-three, chapter one hundred and thirty-six, Public Laws of nineteen hundred and twenty-three: *Provided*, this act shall not apply to the following counties: Alamance, Alexander, Alleghany, Anson, Ashe, Avery, Beaufort, Bertie, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Columbus, Craven, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham, Edgecombe, Franklin, Gaston, Gates, Graham, Granville, Greene, Guilford, Halifax, Harnett, Haywood, Henderson, Hertford, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, Martin, McDowell, Mecklenburg, Mitchell, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Polk, Randolph, Richmond, Roberson, Rockingham, Rowan, Rutherford, Sampson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell, Union, Vance, Wake, Warren, Washington, Watauga, Wayne, Wilkes, Wilson, Yadkin, Yancey.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 23d day of August, 1924.

Caldwell, Cleveland, and Forsyth are the only counties not exempted from the provisions of the above act.

**AN ACT TO AUTHORIZE THE STATE BOARD FOR VOCATIONAL
EDUCATION TO CONTINUE ITS WORK IN VOCATIONAL REHABIL-
ITATION (H. B. 28, S. B. 60).**

Whereas, section 317, chapter 136, Public Laws of 1923, makes an appropriation out of the public school fund for vocational rehabilitation contingent upon an appropriation from the Federal Government of a like amount; and

Whereas, the Sixty-eighth Federal Congress in its first session passed an act authorizing the continuance of vocational rehabilitation; and

Whereas the general deficiency appropriation bill, containing the appropriation for this work failed to pass in the said session of the Federal Congress: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State Board for Vocational Education is hereby authorized to continue its work in the division of vocational rehabilitation from the contingent funds heretofore appropriated out of the public school fund for this purpose: *Provided*, this work shall not be continued beyond March 4, 1925, unless the appropriation from the Federal Government is made available prior to said date; and, *Provided further*, that the State Board for Vocational Education may not exceed the amount set aside from State funds for this purpose.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of August, 1924.

AN ACT FOR THE APPOINTMENT OF AN EDUCATIONAL FINANCE COMMISSION (H. B. 29, S. B. 47).

The General Assembly of North Carolina do enact:

SECTION 1. That an educational finance commission, consisting of seven members, composed of four members, one of whom shall be a land-owning farmer, to be appointed by the Speaker of the House and three, one of whom shall be a land-owning farmer, to be appointed by the President of the Senate, is hereby created, which commission shall assemble in the city of Raleigh at the call of the Governor and organize by electing one of their number chairman and another secretary. It shall be the duty of this commission to study the methods of financing public education in North Carolina at this time and to suggest to the next session of the General Assembly ways and means whereby the cost of education may be more equitably distributed, to the end that the efficiency of the public school system in North Carolina may be increased.

SEC. 2. The said commission shall have authority to call to their assistance any public officer of the State, except the Governor, and any public officer of any county of the State, and any citizen of the State who may have appropriate information. The said commission has the further authority to cause to be displayed before them all official records bearing on public education in any department of State, and the official school records of any county or city in the State of North Carolina, or any other official information relating to public education that may be in the possession of any public official.

SEC. 3. The said commission is hereby further authorized, if it deem wise, to study the methods of financing public education in other States either by visiting other States or calling to its assistance citizens of other States, at such compensation as may be determined by the commission: *Provided*, that the entire cost of this part of the commission's investigation shall not exceed one thousand and five hundred dollars (\$1,500.00).

SEC. 4. The said commission shall make a report of its findings and recommendations to the General Assembly of one thousand nine hundred and twenty-five five days after the convening thereof. The report shall be printed and distributed to all State officials and to all county and city school officials within the State of North Carolina. Said commission is hereby

authorized to have all printing necessary for carrying out the purpose of this act done by the public printer as all public printing is done.

SEC. 5. Said commission is authorized to employ such clerical assistance as may be needed and fix the compensation, and the action of the commission shall be conclusive.

SEC. 6. Each member of the commission shall be paid ten dollars (\$10.00) per day and expenses during the time in which they are engaged upon their duties.

SEC. 7. The chairman and secretary shall issue vouchers for the payment of the expenses of the commission to the State Auditor, who shall cause the same to be paid according to law.

SEC. 8. That this act shall be in force from and after its ratification.

Ratified this the 21st day of August, 1924.

MEMBERS OF THE EDUCATIONAL FINANCE COMMISSION

WALTER H. WOODSON.....	Salisbury
EMMET BELLAMY	Wilmington
ROBT. T. WILSON.....	Yanceyville
N. A. TOWNSEND.....	Dunn
T. C. BOWIE.....	Jefferson
CLAYTON MOORE	Williamston
C. P. ROGERS.....	East Flat Rock

AN ACT TO AMEND SECTION TWO HUNDRED AND THIRTY-TWO OF CHAPTER ONE HUNDRED AND THIRTY-SIX OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, RELATING TO LOCAL TAX DISTRICTS FORMED FROM PORTIONS OF CONTIGUOUS COUNTIES (H. B. 355, S. B. 118).

The General Assembly of North Carolina do enact:

SECTION 1. That section two hundred and thirty-two of chapter one hundred and thirty-six, Public Laws of one thousand nine hundred and twenty-three, be repealed and that the following be substituted in lieu thereof:

"Sec. 232. Local tax districts from portions of contiguous counties.

a. Local tax districts may be formed as provided in this section out of contiguous portions of two or more counties.

The petition for such a district must be initiated as petitions for local tax elections are initiated under the provisions of this article, must be endorsed by the county boards of education of such contiguous counties, and each county board of education shall certify to the board of county commissioners of its county that the metes and bounds of the proposed joint local-tax district are in accordance with and are an integral part of the lawfully adopted county-wide plan of organization in so far as they pertain to said county.

The board of commissioners of each county, in compliance with the provisions of this article relating to the conduct of local tax elections shall then call and hold an election in that portion of the proposed district lying in its county. Election returns shall be made from each portion of the proposed district to the board of commissioners ordering the election in that portion and the returns canvassed and recorded as required in this article for local tax districts.

b. In case the election carries in each portion of the proposed district, the several county boards of education concerned shall each pass a formal order consolidating the territory into one joint local tax district; which shall be and become a body corporate by the name and style of "..... Joint Local Tax School District of Counties." The county board of education having the largest school census and the largest area in the part of the joint local tax district lying in its county shall determine the location of the schoolhouse; but if the largest census and area do not both lie in the same county, then the county boards shall jointly select the site for the building, and in case of a disagreement they shall submit the question to the board of arbitration consisting of three members, one member to be named by each board of education if three counties are concerned, or if there are but two counties, then each board shall choose one member and the two so named shall select a third member. The decision of the board of arbitration shall be binding upon all county boards of education concerned.

c. The school committee shall consist of five members, three of whom shall be appointed by the board of education of the county in which the building is to be situated and two to be appointed by the other county or counties, but the terms of office shall be so arranged that not more than two members will retire in any one year. The committee shall officially exercise such corporate powers as are conferred in this section. This said committee shall have all the powers and duties of committees of local tax districts and in addition thereto it shall adopt a corporate seal and have the power to sue and be sued. The committee shall have the power to determine the rate of local taxes to be levied in said joint district not exceeding the rate authorized by the voters of the district, and when the committee shall have so determined the rate of local taxes to be levied in said joint district, and shall have certified same to the boards of commissioners of the several counties from which said joint district is created, the said boards of county commissioners, and each of them, shall levy said rate of local taxes within the portion of said joint district lying within their respective counties; and the taxes so levied shall be collected in the several counties as other taxes are collected therein, and shall be paid over by the officers collecting the same, to the treasurer or other fiscal agent of the county in which the schoolhouse is located or is to be located, to be by him placed to the credit of the joint district.

d. The committee shall have as full authority to call and hold elections for the voting of bonds of the district as is conferred upon boards of education and boards of commissioners in article twenty-two of this chapter. In calling the election for a bond issue no petition of the county board of education shall be necessary; but the election shall be called and held by the school committee of the incorporated local tax school district under as ample authority as is conferred upon both county boards of education and

boards of commissioners under article twenty-two of this chapter. When bonds of the district have been voted under authority of this section, they shall be issued subject to the limitations of article twenty-two of this chapter in the corporate name of the district, signed by the chairman and secretary of the school committee, sold by the school committee, and the proceeds thereof deposited with the treasurer of the county board of education of the county in which the school building is or is to be located, to be placed to the credit of the joint district, and the taxes for interest and principal shall be levied and collected as provided in subsection *c* above for the levy and collection of local taxes.

e. The committee shall have the same power to call and hold elections to ascertain the will of the voters of the district upon the question of increasing the local tax levy up to a maximum rate of fifty cents on the one hundred dollars valuation of taxable property as it has in the case of bond elections. But local tax elections called and held in such joint districts shall be held under the general provisions of this article governing local tax elections except that the district committee is hereby granted the powers of county boards of education and boards of commissioners as to local tax elections.

f. The building of all schoolhouses in such joint local tax districts shall be effected by the county board of education of the county in which the building is to be located under authority of law governing the erection of school buildings by county boards of education. It shall be lawful for the boards of education in the other county or counties to contribute to the cost of the building in proportion to the number of children shown by the official census to be resident within that part of the joint district lying within each county respectively. If the building is to be erected from moneys borrowed from the State building funds or from county taxation, then each county board of education shall contribute to its construction in the proportion set out above and pay over its contribution to the treasurer of the county board having control of the erection of the building: *Provided*, it shall be lawful for the county board that controls the erection of the building to borrow from the State and lend to the district the full amount of the cost of the building in cases where the entire amount is to be repaid by the district from district funds.

g. All district funds of a joint local tax district shall be kept distinct from all other funds, placed to the credit of the district, and expended as other local tax or district bond funds are lawfully disbursed.

h. The county board of education and county superintendent of public instruction of the county in which the schoolhouse is located shall have as full and ample control over the joint school and the district as it has in the case of other local tax districts, subject only to the limitations of this section.

i. It shall be the duty of the committee of the joint school district to prepare a budget in accordance with the law requiring budgets of special charter districts. The said budget, which shall show the proportionate part of the cost of maintenance for six months to be contributed by each county, the several parts to be ascertained on the basis of the proportions of the total district school census living in each respective county, shall be filed by the committee with the county board of education of each county, and it shall be the duty of each board if it approves the district budget to incorporate it in the county budget to be submitted to the commissioners in May

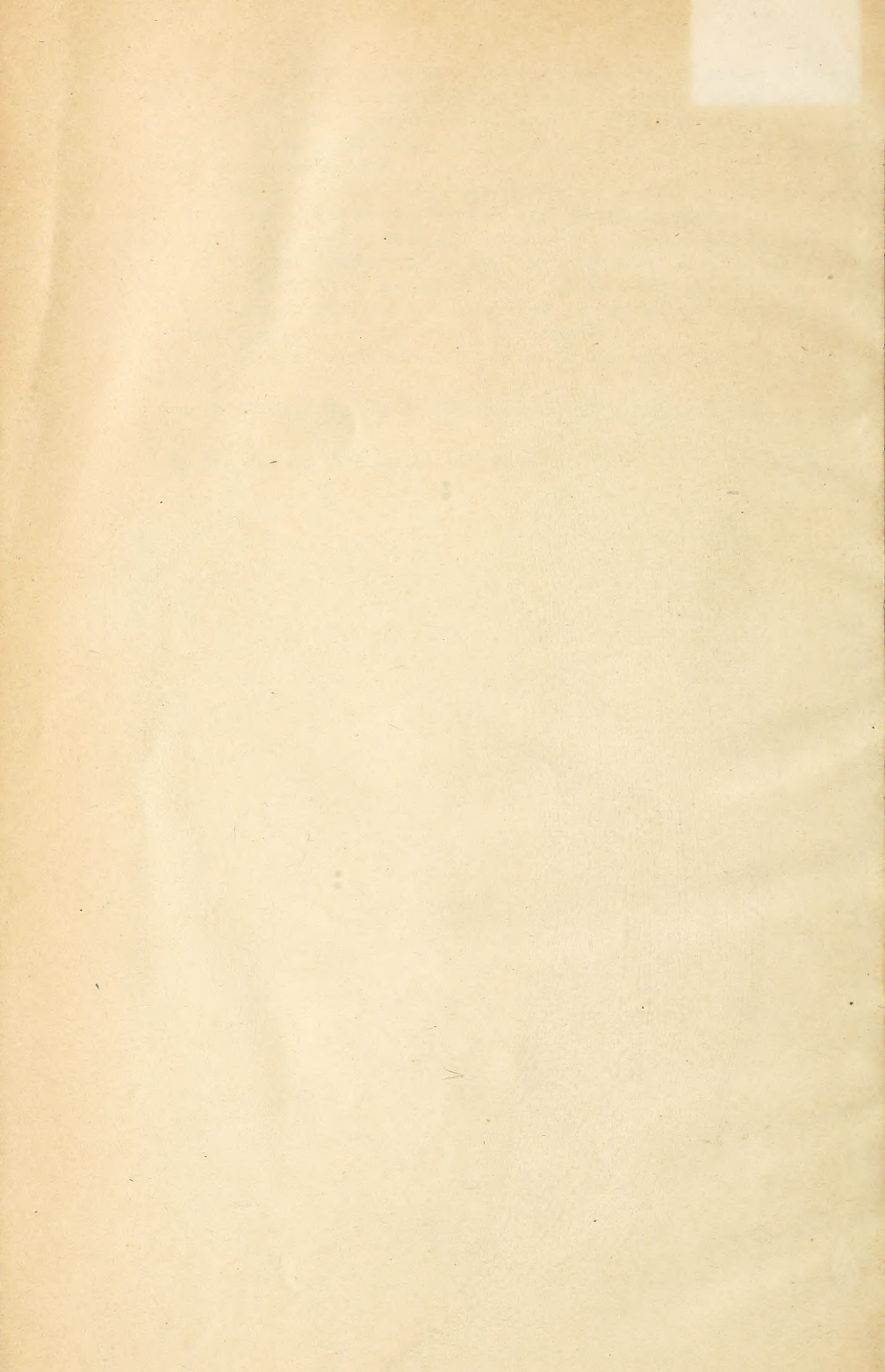
of each year. Each of the several county boards of education is hereby directed to pay over its proportionate part of the district budget when and as collected, to the treasurer of the board of education of the county in which the school plant is located for the purposes for which it has been levied and collected.

j. All districts formed before the ratification of this amendment under the provisions of section two hundred and thirty-two, chapter one hundred and thirty-six, Public Laws of one thousand nine hundred and twenty-three, and all districts incorporated before the ratification of this amendment, under the provisions of section two hundred and thirty-three of said chapter, are hereby authorized and empowered to exercise all the powers and privileges conferred by this section as amended.

SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. This act shall be in full force and effect from and after its ratification.

Ratified this the 21st day of August, 1924.



Binder
Gaylord Bros.
Makers
Syracuse, N. Y.
PAT. JAN 21, 1908

